Hour ...*(Interruptions)*... Please, after the Question Hour ...*(Interruptions)*... No, not now ...*(Interruptions)*... After the Question Hour ...*(Interruptions)*... Now, let us take up the Question Hour.

ORAL ANSWERS TO QUESTIONS

*481. [*The questioner (Shri S. Agniraj) was absent. For answer vide page 25 infra.]*

*482. *[The questioner (Shri Jhumuk Lal Bhendia) was absent. For answer vide page 27 infra].*

Issue of passports without police verification

*483 MISS MABEL REBELLO: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that passports have got to be issued within 35 days even without police verification;

(b) whether this gives a chance for hardened criminals to get passports without police verification;

(c) the steps Government propose to take to eliminate issue of passports to anti-social, anti-national and criminals; and

(d) the number of cases detected involving Indian Nationals in possession of double passports during past three years?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI JASWANT SINGH) (a) and (b) Passports are normally issued within five weeks, provided a clear police verification report has been received and the application is complete in all other respects. Short validity passports, of an urgent nature, can be issued on the basis of a verification certificate issued by an officer not below the rank of Deputy Secretary to the Government of India. Some of the Passport Offices have been authorized to issue passports on police report overdue basis if the police report is not received within 4 weeks. Whenever a negative police report is received, subsequent to issue of the passport, the applicants are contacted for clarification and where necessary their passports are revoked/impounded.

(c) The police verification is designed to ensure that passports are not issued to undesirable elements. Government have strengthened scrutiny of documents submitted in support of passport applications, as well as the police verification process.

(d) The information is being collected and will be laid on the Table of the House.

MISS MABEL REBELLO: Sir, in the reply, it has been stated that some of the Passport Officers have been authorized to issue passports on 'police report overdue' basis if the police report is not received within 4 weeks. Why only some of the Passport Officers have been authorized? What is the criterion? In this way, the people who have known criminal records or who are undertrials, have obtained passports without police verification. Therefore, police verification should be made mandatory so that such people are not able to get passports without police verification. What is the policy of the Government in this regard? Regular known criminals go abroad, despite their passports being impounded. What is the *modus operandi* that they adopt to hoodwink the system?

SHRI JASWANT SINGH: The requirement before the Government is to balance between urgent and timely delivery of passports to applicants, combined with appropriate and proper scrutiny. We have to balance these two requirements. We have found that in some States police verification is the principal cause of delay. Quite often, it takes 15—20 weeks for the police verification to be received by the Passport Officer in those States. That is why, earlier, a scheme was devised whereby on 'police verification overdue' basis, this facility was provided in certain States. This facility was provided, combined with a verification that can be given by a civil servant of a certain rank and above. We have found that this system has, by and large worked satisfactorily. If any adverse report is received from the police after the passport is issued on 'police verification due' basis, the passport-holder is immediately contacted, he is asked to explain, and wherever necessary, the passport is also impounded. The hon. Member also wanted to know if there are any cases where the passport-holder is able to leave the country after the passport is

impounded. It seems to be very strange because after the passport is impounded a citizen or whoever it is, is no longer the holder of a valid travel document.

MISS MABEL REBELLO: What will happen if they manage to get a fake passport? Many known criminals have gone out, despite the fact that their passports had been impounded.

SHRI JASWANT SINGH: After the passport is impounded, the necessary travel document is not available. No such case has come to the notice of the Government where even after impounding of the passport, a person is able to leave the country.

MISS MABEL REBELLO: Sir, there is a report in the Hindustan Times, dated 6th September, 2000, pointing out how some people had gone to Germany from India on fake passports. Here, they could not detect their fake passports. Two pages were fake. As soon as they landed in Germany, The fake passports were detected and they were sent back. Sir, my second supplementary is, a large number of criminals and anti-social elements obtain forged passports with the help of the people within the passport office and sometimes, with the help of the outside people, that is, agents, travel agents, touts etc. If it is so, how many passports have been detected by the Government this year? How do you strengthen the investigating and the reporting machinery of the Government? How are you making sure that innocent people are not harassed by the extra precocious attitude that the Government takes? Even if the Government is very cautious, innocent people are harassed. But these smart people, anti-social elements, manage to get things done. How do you protect the innocent people?

SHRI JASWANT SINGH: In two, three aspects sought by the hon. Member, certain allegations contained in newspapers are quoted by her. I am unable to comment on that, Sir, because I do not know which particular report the hon. Member is referring to.

On the question of obtaining passports through fraudulent information or obtaining fake passports, the hon. Member has made an allegation here that passport offices themselves are a party to the issuance of fake passports. Sir, no such case has come to the notice of

the Government that the passport office itself is issuing fake passports. But, that fake passports are made; yes, we are aware of that, Sir, and to safeguard against that, a number of additional and special steps have been taken. I will not list them here because they are part of the security set-up of the passports themselves. So, a number of steps have been taken so as to ensure that the whole question of fake passports is controlled. That passports are obtained by false information or fraudulent information; yes. That is why police verification becomes necessary, and where a passport is urgently needed, etc., there, of course, Civil servants of certain categories can certify. So, all these aspects are there and a balance has to be struck. So far as the point of harassment of citizens is concerned, the Government has recently initiated a number of steps. And I personally wrote to all the Chief Ministers saying that it is the intention of the Government to facilitate the issuance of passports to the citizens and, to do so, we, the Government, is ready to make this facility available in every district of the country. We also want that the passport application collection centres should not be in the passport offices only. We are ready, in fact, to go even further and assign the task of police verification to the District Magistrate or to the District Superintendent of Police and then ensure that the passport application is submitted to the passport offices. I have received encouraging response from all the States. We have held a meeting also because we, the Government, went so far forward as to say that the States could assign and officer whom the Government of India will the train at its own cost so that this facility is available to the citizens more easily. We have also said that the passport application forms can be received in all speed post offices, and, on a trial basis, we have introduced this facility in about 57 metropolitan speed post offices. Now, can I say that it is working entirely satisfactorily? Not yet, Sir. We held a training programme for the officials assigned by the States, but I am sorry to say that only 14 such officials attended the last training programme that we had organized. But we will persist with it. The Government is committed to early, harassment-free, issuance of passport to a valid applicant who is a citizen of the country, simultaneously, ensuring that due

security and police verification is not either compromised or jeopardised.

SHRI B.P. SINGHAL: Sir, there are two kinds of verification when they go in the district. One is by the Intelligence Wing of the State, and the other is by the District police. I wonder if the Government could consider having immediate reports on the basis of the records. That would not delay it at all. And, then, subsequently, physical verification could be done by the police by visiting either the applicant's village or his house and making inquiries there. Would the Government consider having these two things done together so that, in one way, it can be speeded up and, at the same time, no wrong person gets the passport permanently?

SHRI JASWANT SINGH: Sir, the hon. Member would appreciate that police verification is a State function. The issuance of passport is the responsibility and function of the Central Government.

Sir, in any case, we have to depend on the State Governments concerned. Now, what procedure is adopted by the State Government to get the application verified by the Police is very much the responsibility of the State Government. However, to facilitate, to speed up, and to make it more efficient, the Central Government has appointed and inter-Ministerial Committee which is currently functioning under the Cabinet Secretariat, and is examining all those aspects and additional suggestions as well.

SHRI SHANKAR ROY CHOWDHURY: Mr. Chairman, Sir, I wish to bring to the notice of the hon. Minister that the problem with the police verification of passports in villages is essentially a problem of shortage of police personnel, because it is ultimately they who have to go from the *thana* of the village to check up whether the person is there or not. So, is it possible for the External Affair's Ministry to liaise with the Home Departments of the States to increase the number of police personnel? Sir, we had a meeting of the Standing Committee of External Affairs in Calcutta on the same issue, and the police, at that time, had been given instructions that they were to complete the verification within twenty-one days. At

741/RS—F-1A —

that time, they literally put their hands up. they said, "we cannot do it with the number of people at our disposal". Ultimately, they said, "A practicable time limit would be around thirty days." Even that is not practicable. So, unless the manpower is increased, I think these delays will continue. I would like to know whether the Central Government and the State Governments could do something about it.

SHRI JASWANT SINGH: Sir, we are seized of this aspect of the matter. After all, our Passport Offices themselves have a limitation on what kind of strength they can have. The question of the strength of police personnel in the States is, again, as my learned friend would appreciate, entirely a State responsibility. To get out of this kind of a circular situation, these two major steps have been initiated — an inter-Ministerial Committee under the Cabinet Secretariat — to which I have just referred — has been appointed, plus the decentralisation of the passport application procedure has been done, taking it down *via* the speed post to each district, and assigning to the District Magistrate or the District Superintendent of Police the task of completing the police verification in the District itself before submission of the passport application to the Passport Office in the State concerned. Other than that, as far as increasing the strength of the personnel is concerned,at the present moment, I regret it is not a practical solution.

श्री सुरेश पचौरी: माननीय सभापति महोदय। मैं आपके माध्यम से यह जानना चाहता हूं कि क्या सरकार यह बताने की कृपा करेगी कि ऐसे कितने लोग हैं जो पासपोर्ट की समयावधि पार होने के बाद भी भारत में रह रहे हैं? क्या सरकार की इस मामले में सेंसस कराने की योजना है?

मेरा दूसरा सवाल यह है कि पुलिस वेरिफिकेशन में जो अनावश्यक विलम्ब होता है उसको कम करने के नजरिये से क्या सरकार वेरिफिकेशन के लिए एक स्पेशल टीम बनाने के प्रस्ताव को राज्य सरकारों के पास विचार करने के लिए भेजेगी?

मेरा तीसरा प्रश्न यह है कि लखनऊ के सेंचुरी घोटाले कांड में एक सज्जन श्री जौहरी का नाम आया है, उनको किस मापदण्ड के तहत पासपोर्ट जारी किया गया था, क्या सरकार इस मामले में दृष्टि डालेगी?

श्री जसवंत सिंह: सभापति महोदय, माननीय सदस्य ने तीन प्रश्न पूछे हैं। पहला प्रश्न

विदेशी नागरिकों के भारत में वीजा या पासपोर्ट की अवधि की समाप्ति के बाद रहने से जुड़ा हुआ है। यह प्रश्न विदेश मंत्रालय से सीधे नहीं जुड़ता है। जो विदेशी नागरिक वीज़ा या पासपोर्ट प्राप्त करके यहां आते हैं और इस अवधि की समाप्ति के बाद भी यहां रह जाते हैं। यह मामला गृह मंत्रालय के तहत आता है। माननीय सदस्य अगर यह प्रश्न गृह मंत्रालय से करें तो ज्यादा उचित रहेगा। दूसरा प्रश्न आपने लखनऊ के किसी सज्जन के बारे में पूछा, जिसके बारे में आपने बताया कि वह किसी कांड में लिप्त है और उनको पासपोर्ट दिया गया। यह जानकारी इस समय मेरे पास उपलब्ध नहीं है। मैं जानकारी एकत्र कर माननीय सदस्य को दे दूंगा। तीसरा, आपने कहा कि क्या केन्द्र सरकार ऐसी कोई योजना बनाएगी जिससे वेरिफिकेशन के लिए स्पैशल टीम्स हों और वह राज्यों में जाकर राय सरकारों की मदद करें ताकि पुलिस वेरिफिकेशन जल्दी हो सके। हमने इन सभी पहलुओं पर विचार किया और पाया कि इस प्रकार की टीम से काम नहीं चलेगा इसलिए इसका विकेन्द्रीकरण किया गया है। हम हर डिस्ट्रिक्ट में पासपोर्ट कलैक्शन सेंटर, डिस्ट्रिक्ट मजिस्ट्रेट और पुलिस सुपरिन्टेंडेंट के जरिए स्थापित करने के लिए तैयार हैं। इसके अलावा जैसा मैंने अभी माननीय सदस्य को बताया कि सभी राज्यों के मुख्य मंत्रियों को स्वयं लिख चुका हूं और सभी से उत्साहजनक उत्तर भी मिले हैं। एक बार नियुक्त अफसरों की ट्रेनिंग का काम भी हो चुका है। इसके अतिरिक्त कोई विशेष वेरिफिकेशन टीम्स बनेंगी, यह संभव नहीं होगा। लखनऊ के बारे में मुझे जो अभी बताया गया है, जैसा माननीय सदस्य ने कहा कि उनके खिलाफ कोई मुकदमा है यह उन्होंने कुछ गलत काम किया है। माननीय सदस्य को मैं बता देता हूं कि जैसे ही विदेश मंत्रालय के पास इसके बारे में कोई रिपोर्ट मिलेगी, पासपोर्ट इम्पाउंड करने में देर नहीं लगेगी।

श्री एस॰एस॰ अहलुवालिया: सभापति महोदय, भारतीय मूल के जो निवासी विदेशों में रहते हैं, रोजी रोटी की तलाश में जो कानूनी और गैर कानूनी तरीके से विदेश गये और फिर वहां पर जाकर वहां की जो प्रणाली है, वहां की जो कानून व्यवस्था है, पॉलिटिकल ऐसायलम के नाम पर, वर्क परमिट के नाम पर या रिफ्यूजी के स्टेट्स पर, पासपोर्ट को फाड़कर, या पासपोर्ट गुम हो गया है—ऐसी हालत में हजारों की संख्या में वे विदेशों में रह रहे हैं। उनकी हालत ऐसी है कि उनके पास कहीं की भी नागरिकता नहीं है। वे सिर्फ वर्क परमिट पर वहाँ अपनी रोजी रोटी कमा रहे हैं। वहां की ऐजेंसियां तरह-तरह से उनका दुरुपयोग करती हैं, तरह-तरह से उनको अनेक कामों में लिप्त कराती हैं और भारत विरोधी कामों में भी लिप्त कराती हैं। ऐसे लोग भारतीय नागरिकता को रखते हुए भारतीय मूल का पासपोर्ट चाहते हैं। महोदय, इसके पहले एक बार नेहरू जी ने ऐसी अनुमति दी थी और

जो भारतीय मूल के निवासी विदेशों में रह रहे थे, जिनके पास पासपोर्ट नहीं थे, उनको पासपोर्ट दिलाए थे। क्या सरकार ऐसे लोगों के पासपोर्ट उनको वहीं पर, उसी देश में राजदूत के यहां पर अप्लाई करने पर उपलब्ध कराने के बारे में सोचेगी।

श्री जसवंत सिंह: महोदय, माननीय सदस्य ने जो प्रश्न पूछा है, वह अपने आपमें जो मूल प्रश्न है, उससे संबद्ध नहीं है परन्तु क्योंकि यह महत्वपूर्ण प्रश्न है, प्रयत्न करूंगा कि उसका उत्तर दूं। जो भारतीय मूल के नागरिक विदेशों में है। चाहे वे पासपोर्ट से गये हैं या बिना पासपोर्ट के गये हैं, राजनीतिक संकट की वजह से गये हैं या पॉलिटिकल ऐसायलम के नाम पर गये हैं। गलत तरीके से गये हैं या सही तरीके से गये हैं और जो पीपल ऑफ इंडियन ओरिजन हैं— इन दोनों पहलुओं को ध्यान में रखते हुए प्रधान मंत्री जी ने एक कमीशन बैठाया है। डा॰ लक्ष्मीमल्ल सिंघवी जी की अध्यक्षता में वह कमीशन पिछले 6 महीने से काम कर रहा है, विदेशों में जा रहा है। वह कमीशन भारतीय मूल के नागरिकों की कठिनाइयों को समझने की ही कोशिश नहीं कर रहा है बल्कि उनमें से निचोड़ निकाल रहा है कि किन-किन पहलुओं पर सरकार पहल करे और कदम उठाए। मैं माननीय सदस्य को आश्वस्त करना चाहूंगा कि इस पर भी सरकार विचार करेगी और जैसे ही कमीशन की रिपोर्ट आ जाती है, निश्चित रूप से यथासंभव जो भी कार्यवाही होगी, जो कानून के तहत संभव होगा, हम जरूर करेंगे।

SHRI K.M. SAIFULLAH: Sir, I would like to know the definition of the criminal for issue of a passport. I am asking this because the definition given in the Poeple's Representation Act is different from what is considered for the issuance of passports. As per the People's Representation Act, a man is to be considered criminal when he is convicted by the higher court, but here the people are not being issued passports simply because their cases are pending in courts. But, for diplomatic passport holders no inquiry is conducted and they are issued passports. That shows there is no common law. Why can't the hon. Minister apply a common law to restrict the criminals from going abroad?

SHRI JASWANT SINGH: This is a reasonable point. I appreciate the subtlety of the distinction that the hon. Member makes between the applicability of what is criminal under the People's Represention Act and what is criminal when it comes to applying for a passport. I recognise this and I also recognise that there is a need to harmonise the two requirements. The Government is seized of this matter. I have no doubt that in the inter-Ministerial

Committee that is currently working under the Cabinet Secretary, this aspect too shall be taken into account.

MR. CHAIRMAN: Question No. 484.

SHRI P.N. SIVA: Sir, I had raised my hand, but you have gone to next question.

SHRI BRATIN SENGUPTA: Sir, I also had raised my hand. I want to put my supplementary on this popular issue. It is a national issue and you have not identified me. It is not fair.

MR. CHAIRMAN: I tried to be fair.

SHRI BRATIN SENGUPTA: Sir, you were looking at me also.

MR. CHAIRMAN: No comments on the Chair.

SHRI BRATIN SENGUPTA: I am sorry, you have not allowed me to put my supplementary.

MR. CHAIRMAN: According to the tradition I have allowed five hon. Members to put their supplementaries.

SHRI BRATIN SENGUPTA: Anyhow, I register my protest on this.

MR. CHAIRMAN: All right.

Children employed as Bonded Labourer

*484. SHRIMATI AMBIKA SONI:
SHRI SANTOSH BAGRODIA:

Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that five million children in the age group of six to twelve years are employed as bonded labourers in the country;

(b) the State-wise break-up of children working as labourers including Rajasthan; and

(c) what steps have been taken by the Government in this regard?

THE MINISTER OF LABOUR (DR. SATYA NARAYAN JATIYA): (a) No Sir.